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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,189	02/25/2004	Thanh Vinh Vuong	16813-13US	7413

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RESEARCH IN MOTION  
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EXAMINER
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COLUCCI, MICHAEL C

ART UNIT	PAPER NUMBER
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2626

NOTIFICATION DATE	DELIVERY MODE
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06/24/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

portfolioprossecution@rim.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/785,189	<b>Applicant(s)</b> VUONG, THANH VINH	
	<b>Examiner</b> MICHAEL COLUCCI	<b>Art Unit</b> 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 April 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19-22,26 and 28-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-22,26 and 28-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 04/14/2011 have been fully considered but they are not persuasive.

#### **Argument (page 11 ¶ 3):**

- “Lin suggests the opposite approach, where text or voice is selected on a web page and is translated using a site-integrated method, for delivering the translated text to the wireless device. Lin does not teach or suggest translating a portion of a text-based communication to be transmitted from a wireless communications device, as claimed”

#### **Response to argument:**

Examiner disagrees and maintains the use of Lin in view of Stringham. Given the broadest interpretation of the claims, Lin explicitly teaches translating a portion of a text-based communication to be transmitted from a wireless communications device, for instance text based communication will be transmitted from the wireless device and translated. Lin teaches a wide area network or wireless network, comprising a server side and a client side, for user-directed acquisition of reference information, such as language translation, relating to user-selected messages or user-selected text of World Wide Web (Web") site pages (See Abstract). A website can be accessed through a phone (i.e. wireless device). Further in view of Fig. 1 of the present invention, Examiner understands that the wireless device is requesting translation. Further, when text is

selected within a device e.g. Smartphone, the translation is also received and viewable in said Smartphone, such as Lin Fig. 3 webpage in a PDA for example.

**Argument (page 12 ¶ 2):**

- “With respect, what is being claimed is a trigger symbol and not just any trigger. A trigger symbol may be, for example, a text-based character, such as "\*" that may be inserted into the text-based communication as the user is composing the communication. It would be tedious and annoying to a user to have to constantly stop entry of text in order to highlight text requiring a translation. In contrast, a trigger symbol can be easily and conveniently inserted into a text-based communication as part of the entry of text. A person skilled in the art would understand that highlighting text is not the same as a trigger symbol, and does not serve the same function”

**Response to argument:**

Examiner disagrees and maintains the use of Lin in view of Stringham. The claims are direct to a trigger symbol. The teachings of Lin use highlighting as a trigger, however once a portion of text is highlighted that highlighted text becomes the trigger symbol itself though the use of a retrieval function. For instance it is well known that a trigger would designate a symbol as the highlighting in combination with text as a place holder within a retrieval function such as that in JavaScript or JQuery. By highlighting a word for instance, a tag is created (such as in the background) of the JQuery element <span> Bonjour

<span> and highlighting is achieved via class 'highlightable' with function mouseover() which can be invoked for a hover and highlight option, as well as the means for linking translation through retrieval function in Lin. Then once a word is highlighted it is also translated by detecting a tag or trigger symbol. See highlighting and translation of tagged text with retrieval function (Col 3 lines 47-61 with Fig. 3).

**Argument (page 13 ¶ 2):**

- “In the present claims, the translation is carried out by a wireless device, in order to translate a text-based communication that is sent out by the same wireless device. That is, the translation provided by the present claims is provided to the composer of the communication and not the recipient. In contrast, Stringham suffers from the same deficiency as Lin in that the translation is being offered to the recipient of pre-existing text, namely a received e-mail message”

**Response to argument:**

Examiner disagrees and maintains the use of Lin in view of Stringham. There is no language within the claims that is directed to “translating, by a wireless device, a text-based communication that is sent out by the same wireless device”. Regardless, Lin teaches text messages (Col 16 lines 28-30) or user selected messages (Abstract), both of which may not be pre-existing.

Additionally pre-existing is subjective to a time frame of existence. For instance, a text message must have existed to translate. Further in view of Fig. 1 of the present invention, Examiner understands that the wireless device is requesting translation of text-based communication which could very well be a website or text message. Further, when text is selected within a device e.g. Smartphone, the translation is also received and viewable in real-time within said Smartphone, such as Lin Fig. 3 webpage in a PDA for example

**Argument (page 13 ¶ 5):**

- "Claim 1 recites "providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation." The Office Action cites the dialog window of Stringham, as shown in figure 5 and described in paragraph [0022] of Stringham, as teaching this feature of the present claims.
- The dialog window shown in figure 5 of Stringham asks the user "Do you want to translate this e-mail message?" This provides the user with the option of deciding whether the message should be translated. That is, the dialog window is provided before translation takes place. Thus there is neither "previously translated text" nor "corresponding translation"

provided in the dialog window of Stringham. In contrast, the present claims provide a prompt after translation has taken place. The prompt of the present claims correspond to "previously translated text" and "comprises the corresponding translation." Such a prompt is not provided in the dialog window of Stringham"

**Response to argument:**

Examiner disagrees and maintains the use of Lin in view of Stringham. While Lin explicitly teaches showing both the original and translated text in real time, Examiner believes that Lin lacks providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation. Figure 5 & 7 of Stringham explicitly teach prompts directed to translation as well as both original and translated within the prompt or "where each prompt comprises the corresponding translation". Once all elements have been highlighted in Lin, Stringham provides a wizard or prompt to assist a user in translation of accumulated highlights, thereby teaching each prompt comprises the corresponding translation, such as an optional means to check translation accuracy or what a user would expect prior to transmitting. See Fig. 5 & 7 (Yes, No... original and translated).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 7-9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. US 6999916 B2 (hereinafter Lin) in view of Stringham US 20020188670 A1 (hereinafter Stringham).

Re claims 1, 9, and 12, Lin teaches in a wireless communications device enabled for communication in a wireless communications network, a method of translating a portion of a text-based communication to be transmitted from the wireless device (Col. 5 lines 55 – Col. 6 line 15), comprising:

sending a translation request, the translation request configured for reception by a translation service means and comprising the text to be translated (Col. 8 lines 5-15 & Fig. 9);

receiving and associatively storing

with the indicated text a translation thereof, from a first language to a second language (Col. 7 lines 26-39 & fig. 7A);

determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger

Art Unit: 2626

symbol, the trigger symbol indicating which text to translate (Fig. 3 highlighting is a form of a trigger)

However, Lin fails to teach

stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent;

providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation;

sending the text-based communication after a response has been received for each prompt

Stringham teaches an e-mail program 14 may prompt the user by generating a dialog window 82 that asks whether language translation is desired and that may include, for example, two buttons 84, 86 that are selectable using the mouse 26 or keyboard 24. A first of the buttons 84 may be pressed if the user wants the message to be translated and a second of the buttons 86 may be pressed if the user does not want the message to be translated. If the user selects the first button 84, then the e-mail program 14 may cause the method of FIG. 3 to be performed (steps 54-60). If instead the user selects the second button 86, the e-mail program 14 does not translate the message but instead causes the e-mail message to be transmitted to the designated correspondent in an untranslated state and the dialog window 82 may prompt the user to specify whether translation is desired at any time before the e-mail program 14

Art Unit: 2626

causes the e-mail message to be translated (before step 78) but preferably after storing the incoming e-mail message in the temporary memory location (after step 64). If the user selects the first button 84 of the dialog window 82, then the e-mail program 14 executes the steps necessary to translate the e-mail message (steps 66-68 and 72-78), stores the translated e-mail message in the user's e-mail inbox (step 70) (Stringham [0022] & Fig. 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin to incorporate receiving and associatively storing with the indicated text a translation thereof, from a first language to a second language

stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent;

providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation;

sending the text-based communication after a response has been received for each prompt

as taught by Stringham to allow for a prompt for translation of select portions of text (Stringham [0022] & Fig. 5), wherein an automatic or user-selected language translation feature integrated within a message system can handle for instance e-mail messages transmitted in a foreign language that could now become understandable to a user or correspondent *without* the need to launch a separate language translation

computer program and *without* the need to enlist the services of a person with language translation skills, thereby improving the system of Lin to include a built-in translation routine within the existing message handling program (i.e. without need to launch a separate language translation via the highlighting of words to be translated for instance).

Re claim 7, Lin teaches the method of claim 1 comprising maintaining a store of portions of text and respective replacements on said communications device; and using said store to determine the replacement (Col. 4 lines 35-46).

Re claim 8, Lin teaches the method of claim 7 wherein said portions of text and respective replacements are defined by prior translations performed using the communications device (Col. 4 lines 35-46 & Fig. 5).

**4. Claims 5, 6, 15, 16, and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. US 6999916 B2 (hereinafter Lin) in view of Stringham US 20020188670 A1 (hereinafter Stringham) further in view of Abir, Eli US 20040122656 A1 (hereinafter Abir).**

Re claims 5 and 15, Lin in view of Stringham fails to teach the method of claim 1 wherein said replacing comprises confirming the replacement (Abir [0302]).

Abir teaches a cut-off point of a chain to be translated as a translation query unit string using the dual-anchor overlap technique is user-defined (user definition of a

Art Unit: 2626

translation query unit string in the above embodiment is a sentence). For instance, instead of a sentence, the concept can be broadened to require overlapping translations of word strings across both Source and Target Language for all contiguous word strings of a shorter unit (e.g., between punctuation marks) or a longer unit (e.g., a paragraph, including punctuation). Because both the beginning and the end of an overlapped unit will only have one side confirmed by overlap, user-defined criteria when building word string translations may be more stringent when accepting a first or last word string as a translation. Moreover, the aspect of the invention that identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin in view of Stringham to incorporate replacing that comprises confirming the replacement as taught by Abir because to allow for purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein redundancy is accomplished if needed through multiple checks (Abir [0302]).

Re claims 6 and 16, Lin in view of Stringham fails to teach the method of claim 5 wherein confirming the replacement comprises obtaining at least one alternative replacement from said translation service and wherein said replacing comprises replacing using a one of the at least one alternative replacement (Abir [0302]).

Abir teaches a cut-off point of a chain to be translated as a translation query unit string using the dual-anchor overlap technique is user-defined (user definition of a translation query unit string in the above embodiment is a sentence). For instance, instead of a sentence, the concept can be broadened to require overlapping translations of word strings across both Source and Target Language for all contiguous word strings of a shorter unit (e.g., between punctuation marks) or a longer unit (e.g., a paragraph, including punctuation). Because both the beginning and the end of an overlapped unit will only have one side confirmed by overlap, user-defined criteria when building word string translations may be more stringent when accepting a first or last word string as a translation. Moreover, the aspect of the invention that identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin in view of Stringham to incorporate at least one alternative replacement from said translation service and wherein said replacing comprises replacing using a one of the at least one alternative replacement as taught by Abir because to allow for purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein redundancy is accomplished if needed through multiple checks (Abir [0302]).

Re claims 20, 22, and 24, Lin in view of Stringham fails to teach the method of claim 1, wherein a response to a replacement translated portion of text comprises any of:

an 'accept translation' whereby said replacement translated portion of text is used to replace a corresponding original portion of the text based communication (Abir [0343]);

a 'reject translation' whereby an original portion of the text based communication corresponding to said replacement translated portion is retained instead of replacing it with said replacement translated portion of text ([0321]); or

a 'reject and ask for more' whereby a further request for translation of an original portion of text of the text based communication is formulated and sent to the translation service means to obtain one or more further replacement translated portions of text, the method further comprising providing a further prompt to receive a response to said one or more further replacement translated portions of text ([0343]).

Abir teaches the system, through the process, will ultimately not accept a return in the second (Target) language that does not have a naturally fitting connection, i.e., right and left overlaps with the contiguous language segments, with the exception of first and last segments, as described above. Had any Hebrew language return not had an exact overlap with a contiguous Hebrew word string association, it would have been rejected and replaced with the highest ranking Hebrew word string association for that English word string that overlaps with the contiguous Hebrew word strings, or

Art Unit: 2626

alternative overlapping English word strings (shorter or longer) can be retrieved from the database with their Hebrew translations and tested for exact overlaps in Hebrew.

Abir teaches that word strings are overlapped completely on both left and right sides (except for first and last word strings which only have some additional confirmation through one-sided overlap) the translation candidates for them will not be accepted if incorrect (or correct but for a different surrounding context). The first word string on the left should be independently confirmed by one of the association methods of the present invention (or manually) as an accurate translation (at least on the un-overlapped left side of the word string) and the last word string at the end of the sentence should be independently confirmed as an accurate translation (at least on the un-overlapped right side). In the above example, either both word strings "the best time of the" and "jump in the pool" should be confirmed independently as accurate translations or at least their left and right sides, respectively. These confirmed translations give accurate end points to anchor the chain of overlapping word string translation candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin in view of Stringham to incorporate accepting or rejecting a translation and replacing the translating with alternative possibilities as taught by Abir for the purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein a more accurate choice of replacement will be selected relative to automatic system selection with a manual user confirmation of the replacement (i.e. not necessarily the *best* grammatical choice

Art Unit: 2626

but best according to a user's preference) to allow for purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein redundancy is accomplished if needed through multiple checks (Abir [0302]).

Re claims 21, 23, and 25, Lin in view of Stringham fails to teach the method of claim 20, wherein the further prompt enables a selection of one of said one or more further replacement translated portions of text to replace a corresponding original portion of the text based communication or to reject all of said one or more further replacement translated portions of text whereby said corresponding original portion of text is retained ([0343]).

Abir teaches the system, through the process, will ultimately not accept a return in the second (Target) language that does not have a naturally fitting connection, i.e., right and left overlaps with the contiguous language segments, with the exception of first and last segments, as described above. Had any Hebrew language return not had an exact overlap with a contiguous Hebrew word string association, it would have been rejected and replaced with the highest ranking Hebrew word string association for that English word string that overlaps with the contiguous Hebrew word strings, or alternative overlapping English word strings (shorter or longer) can be retrieved from the database with their Hebrew translations and tested for exact overlaps in Hebrew.

Abir teaches that word strings are overlapped completely on both left and right sides (except for first and last word strings which only have some additional confirmation through one-sided overlap) the translation candidates for them will not be

Art Unit: 2626

accepted if incorrect (or correct but for a different surrounding context). The first word string on the left should be independently confirmed by one of the association methods of the present invention (or manually) as an accurate translation (at least on the un-overlapped left side of the word string) and the last word string at the end of the sentence should be independently confirmed as an accurate translation (at least on the un-overlapped right side). In the above example, either both word strings "the best time of the" and "jump in the pool" should be confirmed independently as accurate translations or at least their left and right sides, respectively. These confirmed translations give accurate end points to anchor the chain of overlapping word string translation candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin in view of Stringham to incorporate a prompt that enables a selection of one of said one or more further replacement translated portions of text to replace a corresponding original portion of the text based communication or to reject all of said one or more further replacement translated portions of text whereby said corresponding original portion of text is retained as taught by Abir because to allow for the purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein a more accurate choice of replacement will be selected relative to automatic system selection with a manual user confirmation of the replacement (i.e. not necessarily the *best* grammatical choice but best according to a user's preference), and for purposes of using shorter or longer

strings with the same meaning to allow for sentence length definition, wherein redundancy is accomplished if needed through multiple checks (Abir [0302]).

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL COLUCCI whose telephone number is (571)270-1847. The examiner can normally be reached on 9 am - 6:00 pm , Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone

Art Unit: 2626

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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